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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SEVEN

THE PEOPLE,

Plaintiff and Respondent,

v.

DEANDRE ANGELLO
GREEN,

Defendant and Appellant.

B304550

(Los Angeles County
Super. Ct. No. MA068582)

APPEAL from an order of the Superior Court of Los Angeles County, Shannon Knight, Judge. Affirmed.

Richard B. Lennon, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

INTRODUCTION

On December 30, 2019 Deandre Angello Green petitioned the superior court to recall his 2017 felony sentence for dissuading a witness from reporting a crime (Pen. Code, § 136.1, subd. (b)) and to resentence him under Proposition 47, the Safe Neighborhoods and Schools Act (Pen. Code, § 1170.18). The superior court denied the petition, ruling the offense of dissuading a witness “remain[ed] chargeable as a felony after the enactment of Proposition 47.” Green timely appealed. We affirm.

DISCUSSION

We appointed counsel to represent Green on appeal. After reviewing the record, counsel filed an opening brief raising no issues. Counsel also sent Green a copy of the opening brief, the transcripts of the record on appeal, and a letter informing Green of his right to file a supplemental brief. We have not received a response.

The superior court correctly ruled Green is not entitled to resentencing on his 2017 conviction for dissuading a witness from reporting a crime. A defendant who commits that crime is not eligible for resentencing under Proposition 47. (See Pen. Code, § 1170.18, subd. (a).)

We have examined the record and are satisfied that appellate counsel for Green has complied with his responsibilities and that there are no arguable issues. (See *Smith v. Robbins* (2000) 528 U.S. 259, 277-284 [120 S.Ct. 746, 145 L.Ed.2d 756]; *People v. Kelly* (2006) 40 Cal.4th 106, 118-119; *People v. Wende* (1979) 25 Cal.3d 436, 441-442.)

DISPOSITION

The order is affirmed.

SEGAL, J.

We concur:

PERLUSS, P. J.

FEUER, J.